

Exhibit “11”

to the Affirmation of Sean P. Carter Transmitting Evidence in Support of Plaintiffs’
Memorandum of Law in Opposition to the Motion to Dismiss of the Kingdom of Saudi Arabia
and Saudi High Commission for Relief of Bosnia & Herzegovina



King Fahd's Speech on the issuance of the Basic Law of Governance

The Custodian of the Two Holy Mosques (may God protect him), on the occasion of the issuance of the Basic Law of Governance, the Law of Majlis Ash-Shura and the Law for the Provinces, gave the following speech to his fellow citizens of the Kingdom of Saudi Arabia:

In the name of God, the Most Merciful, the Most Compassionate.

Praise be to God, Lord of the Universe, and may peace and blessings be upon the most noble of the prophets, Our Prophet Mohammed, and upon all his family and companions!

Fellow citizens,
If God intends good to come to a people, He will guide them to what is most appropriate. God has favored us greatly, beyond measure, and the greatest favor of all is Islam. If we fully adhere to this religion, we shall never go astray. Rather we shall be guided in happiness because Almighty God has told us this, as has His Messenger the Prophet (PBUH). Historical facts and reality stand as witness in this regard.



Muslims have been happy with the Sharia of Islam ever since it came to rule their affairs and daily lives. In modern history, the first Saudi State was founded on the basis of Islam more than two and a half centuries ago, when two pious reformers, Imam Mohammed Bin Saud and Sheikh Mohammed Bin Abdul-Wahhab (may God have mercy on their souls!) committed themselves to it.

This State was set upon a clear course of politics and government. It was committed to propagating Islam and to fostering a sense of community. This is the course of Islam, the Creed and the Sharia. Ever since the establishment of this righteous state, the people of the country have enjoyed happiness, security and unity of opinion. They have been living in harmony and fraternal cooperation, after a prolonged period of fear and division.

The Creed and the Sharia being the basic principles on which this State has risen, the application of these principles has manifested itself in full adherence to the correct Islamic course in the Creed, its doctrine, in the Propagation of Islam (Da'wa), in the enjoining of good and the forbidding of evil, in its judicature and in the relationship between the ruler and the ruled. As such, the Saudi State has become a distinguished model of politics and government in modern political history. The adoption of this course has continued in all subsequent stages as successive rulers have continued to adhere to the Islamic Sharia. And it is that bounty of God, which he grants to whom He wishes.

This continuous following of the course of Islam is based on three facts:

The fact that the basis of this course of Islam is fixed and is not subject to change or alteration. God the Almighty said, We have, without doubt, sent down the Message: and we will assuredly guard it (from corruption)" (XV, 9).

The fact that the following of the course of Islam should be constant. God the Almighty said: " Then We put thee on the (right) way of Religion; so, follow thou that (way) and follow not the desires of those who know not" . (XL,18)

The fact that the rulers of this country remain loyal to Islam in different circumstances and conditions. Loyalty to Islam, the Creed and the Sharia, continued during the era of King Abdulaziz (May God have mercy on him!). He founded the Kingdom of Saudi Arabia and unified it on the same course, despite difficult historical circumstances and the problems he faced during the process of unifying the country.

In accordance with this course, the Kingdom of Saudi Arabia was founded on the following bases:

- The unity of faith which makes the people devote worship to God alone with no partners and live in dignity and in honor.
- The Islamic Sharia which protects life, preserves rights and regulates the relationship between the ruler and the ruled, regularizes dealings among members of the community and safeguards public security.
- The undertaking of the Propagation of Islam (Da'wa) and its dissemination, since the Propagation of Islam in one of the most important functions of an Islamic state.
- The founding of an environment, free of evil deeds and deviations to help people act honestly and righteously -- this task is achieved by encouraging good and discouraging evil.
- The achievement of the unity of faith which is the basis for political social and geographical integrity.
- The adoption of the means and ways leading to progress, in order to achieve an advance which eases people's lives and protects their livelihood in the light of the guidance and standards of Islam.
- The practice of consultation (shura) just as Islam has commanded and praised whoever undertakes it, since Islam has ranked practicing consultation (shura) among the qualities of the believers.
- The Two Holy Mosques shall remain inviolate for visitors and worshipers, as the two were intended to be by God, safe from all that hinders worship in the best way and the performance of the minor and major pilgrimages (Umra and Hajj). The Kingdom shall undertake this duty in fulfillment of our duty towards God and in service of the community of Islam.
- The defense of the faith, the Holy Shrines, the homeland, the citizens and the State.

These are the grand bases on which the Kingdom of Saudi Arabia has been established.

During the reign of King Abdulaziz, political systems bases on this course emerged, due to the developments of modern life. In the year 1373 H, in view of the evolution of the State and the expansion of its responsibilities, King Abdulaziz (may God have mercy on him!) issued a decree for the formation of a council of ministers. This council is still in operation in accordance with the law issued then and with amendments that followed. This course is still followed to this day, by the grace and guidance of God. Therefore, the Kingdom of Saudi Arabia has never known the so-called "constitutional vacuum." The literal meaning of "constitutional vacuum" is that the State has no guiding principles or binding frame of reference in the fields of legislation and regulation. The Kingdom has never witnessed such a phenomenon in its entire history because it has been ruled according to the guiding principles, the binding rules and the clear fundamentals to which judges, ulema and all others employed by the State refer.

All the organs of the State currently function according to laws which stem from the Islamic Sharia, and they are regulated by it. Thus it is not from vacuum that we are today enacting the following laws in new forms: the Basic Law of Government, the Law of Majlis Ash -Shura and the Law for the Provinces. These three laws codify existing practices and embody what is already in operation. These statutes are subject to reconsideration and amendment in accordance with what the Kingdom's circumstances and interests require. The three laws were formed on the basis of the Islamic Sharia, reflecting our genuine traditions, righteous values and cherished customs.

Compatriots:

The source of the Basic Law (of Governance) as well as its foundation is the Islamic Sharia. This law has been guided by the Islamic Sharia in defining the nature, the objectives and the responsibilities of the State, as it has in defining the relationship between the ruler and the ruled on the basis of brotherhood, consultation, friendship and cooperation.

The relationship between citizens and state officials is founded on solid and deep-rooted traditions, compassion, mutual respect and loyalty stemming from the sincere and firm convictions in the hearts of this country's people generation. There is no difference between the ruler and the ruled. They are equal before the law of God, and they are all equal in their love of this homeland and in their eagerness to maintain its safety, unity, pride and progress. Whoever is in charge has obligations as well as rights. The relationship between the ruler and the ruled is first and foremost governed by the Sharia of God as it has come (to us) in His Holy Book

and in the traditions (Sunna) of His Messenger (PBUH). The Basic Law of Governance has been inspired by these sources. It has sought to apply them fully in the relationship between the ruler and the ruled, in compliance with all that has been revealed through our true religion in this respect.

As for Majlis Ash-Shura law, it is based on Islam both in name and content, in response to God's words:

"Those who respond to their Lord, and establish regular prayer, who (conduct) their affairs by mutual consultation; who spend out of what we bestow on them for sustenance" (XL, 38).

"It is part of the mercy of God that thou dost deal gently with them. Wert thou severe or harsh-hearted, they would have broken away from about thee: so pass over (their faults) and ask for (God's) forgiveness for them; and consult them in affairs (of moment). Then, when thou hast taken a decision, put thy trust in God. For God loves those who put their trust (in Him)" (III, 159)

We have already mentioned on several occasions that the country witnessed the establishment of Majlis Ash-Shura long ago. Throughout this period, shura (consultation) activities continued in many and various ways. The rules of the Kingdom maintained consultations in times of need with ulema (religious scholars) and advisors.

The new Law of the Majlis Ash-Shura provides for the modernization and development of an existing system through the consolidation of the Majlis's framework. It also provides vehicles for more efficiency, better organization and vitality in order to achieve the desired objectives. The capable members of this Majlis will be carefully chosen so as to contribute to the development of the Kingdom of Saudi Arabia and its progress, taking into consideration the public interest of the homeland and its citizens. While Majlis Ash-Shura undertakes, God willing, general consultation at the level of the State, we ought not to ignore the consultations currently practiced within the State's organs through the specialized councils and committees. These structures ought to remain active so that their work will complement that of Majlis Ash-Shura.

The country has recently witnessed tremendous developments in various fields. These developments have called for a renewal of the general administrative system in the country. To meet this need and interest, the Law of the Provinces has come to allow for more organized action through appropriate administrative measures, and to upgrade the level of administration in the provinces of the Kingdom.

Compatriots:

These laws have been drawn up after a meticulous and patient study carried out by a select group of learned men of sound knowledge and experience. Full consideration was given to the Kingdom's distinguished position in the Islamic world, and to its traditions and customs, as well as its social and cultural conditions. Therefore these laws have sprung from our realities, taking into account our traditions and customs, while adhering to our true religion. We are confident that these laws will, with the help of God, assist the State in realizing every Saudi citizen's hopes for the welfare and progress of this homeland and his Arab and Islamic nation. The Saudi citizen is the base for the advancement and development of this homeland, and we shall not spare any effort to ensure his happiness and well-being.

The world, which is following the development and progress of this country, greatly admires its domestic policy, which safeguards the citizen's security and well-being. It also admires this country's foreign policy, which seeks to establish relations with other countries and contribute to world peace.

The Kingdom of Saudi Arabia is the sanctuary of the Muslim Shrines and a site for the Hajj (the major pilgrimage), the Umra (the minor pilgrimage) and the Visit (to the Prophet's Mosque). It has a special place in the hearts of all Muslims. God has honored this State with the Custody of the Two Holy Mosques, to facilitate the performance of the pilgrimages and the visit to the Mosque of the Prophet (PBUH). We have done our utmost to expand the Two Holy Mosques and develop the other holy sites. The State offers full assistance to all guests bound for the Holy Places. We thank God and ask Him to continue granting us more grace to go on serving these places and all Moslems wherever they may be.

The Kingdom of Saudi Arabia has adhered constantly to the Islamic course in government, in judicature, in the Propagation of Islam (Da'wa), in education, in enjoining good and forbidding evil, as well as in the performance of God's rites. The rulers and state officials have adhered to that course. The people, too, have adhered to it in their daily lives.

Islam is a way of life. There can be no neglecting what has been included in God's Book (The Holy Qur'an), what has been authenticated of the Prophet's traditions, or what Muslims have unanimously agreed on. Our

constitution in the Kingdom is the Holy Book of God, which is infallible, and the Traditions (Sunna) of His Messenger, who does not speak irresponsibly. Whatever we disagree on we refer back to them. They both are arbiters on all laws issued by the State.

Rulers and ulema (religious scholars) in the Kingdom of Saudi Arabia have cooperated, and still are cooperating and helping each other. Similarly, the people have been, and still are, supportive of, cooperative with and obedient to their leadership according to the legal pledge of allegiance (bay'a) rendered by the ruled to the rulers.

The ruler fulfills his obligations with regard to the implementation of the Sharia, the establishment of justice among the people and the defense of legitimate individual rights. The society, therefore, enjoys security, stability and prosperity.

In the past and present, the Kingdom, has been and is committed to the Sharia and to implementing it vigorously and firmly in all its domestic and foreign affairs. With the help of God, it will remain keenly committed to the Sharia.

With the help of Almighty God, we hold firm to Islam and advise each other, generation after generation, ruler after ruler. As promised by God, there can be no harm done to us by those who oppose us. We do not close the door on any aspect of modernization, so long as it does not conflict with our Islamic heritage and identity.

The Kingdom of Saudi Arabia is an Arab Islamic State. All matters that concern Arabs and Muslims will be its concerns. The State promotes their solidarity and their unity of opinion and contributes, with all its capabilities, to their welfare. Past events and circumstances have indeed witnessed the truth of its stances and the fulfillment of its commitments towards the Arab Nation and the Islamic Nation as well as towards other international obligations.

Compatriots:

With the help of God, we will continue upon our Islamic course, cooperating with those who want good for Islam and Moslems, and determined to consolidate and disseminate the religion of God and to ensure progress for this country and happiness for its people. We ask Almighty God to bestow on our people and on the Arab Nation and the Islamic Nation goodness, righteousness, progress, prosperity and welfare. Praise be to God, by whose grace all righteous deeds are done!